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OFFICE OF PETITIONS

The Whitaker Corporation
Suite 450
4550 New Linden Hill Road
Wilmington DE 19808

In re Application of
O'Toole, Levin, Edwards, Xu, Vandenberg, and Markham
Application No. 09/901,293
Filed: July 9, 2001
Attorney Docket No. 17586A USA
For: OPTOELECTRIC MODULE FOR MULTI-FIBER
ARRAYS

DECISION ACCORDING
STATUS UNDER
37 CFR 1.47(a) AND
DECISION ON PETITION
UNDER 37 CFR 1.137(b)

This is a decision on the renewed petition under 37 CFR 1.137(b), filed March 18, 2003 (certificate of mailing dated March 13, 2003.)

This is also a decision on the renewed petition under 37 CFR 1.47(a), also filed March 18, 2003

The renewed petition under 37 CFR 1.137(b) is **GRANTED**

The renewed petition under 37 CFR 1.47(a) is **GRANTED**.

Consideration under 37 CFR 1.47(a):

Petitioner has shown that the non-signing inventor, Bradley S. Levin, has refused to join in the filing of the above-identified application after having been presented with the complete application papers.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

Consideration under 37 CFR 1.137(b):

This application became abandoned on October 24, 2001, for failure to timely file an appropriate response to the "Notice of Missing Parts of Nonprovisional Application" (the "Notice") mailed August 23, 2001, which set a shortened period for reply of two months from its mailing date. No extension of the time for the reply was obtained; the application became abandoned on October 24, 2001. A petition under 37 CFR 1.137(b) was filed on October 1, 2002, and was dismissed by a decision mailed December 13, 2002. The instant renewed petition was then filed on March 18, 2003

As the requirements of 37 CFR 1.137(b) have been met, the above-cited application is, hereby, revived.

Deposit account 19-5425 will be assessed \$110.00 for an extension of time within the first month which is necessary in order to make the renewed petitions timely.

The address as cited on the instant petition differs from the address of record. Although a courtesy copy of this decision is being mailed to the address cited on the petition, all future correspondence will be mailed solely to the address of record until appropriate written instructions to the contrary are received.

This application will be forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries should be directed to the undersigned at (703) 305-0010.



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